

**BOARD OF REGISTRATION IN PHARMACY
PHARMACY BOARD MEETING MINUTES
TUESDAY FEBRUARY 13, 2007
239 CAUSEWAY STREET
SECOND FLOOR, ROOM 206**

Present: James DeVita, R.Ph., Karen Ryle, R.Ph., M.S., Sophia Pasedis, R.Ph., Pharm.D., George Cayer, R.Ph., Marilyn Barron, MSW, Public Member, William Gouveia, R.Ph., M.S., Joel Berman, R.Ph., Kathy Fabiszewski, Ph.D., R.N., Donald Accetta, M.D., Michael Tocco, R.Ph., Staff: James Coffey, R.Ph., Interim Director, Susan Manning, Counsel, Leo McKenna, R.Ph., CQI Coordinator, Carolyn Reid, Adm. Asst., Sam Penta, R.Ph., Supervising Investigator

1. 8:30 a.m. – Pres. DeVita called meeting to order.
2. 8:35 a.m. - Review of Board Minutes
3. 8:40 a.m. - Pharmacy / Pharmacy Department Applications

New Pharmacy / Pharmacy Department

Walgeens Pharmacy #10268, proposed to be located at 20 Mechanic Street, Bellingham

Transfer of Ownership

Pet Net Pharmaceuticals, Inc. TO Pet Net Solutions, Inc., 268 West Cummings Park, Woburn, MA (effective date: January 17, 2007)

Relocation

Wal-Mart Pharmacy 10-2629, 1161 Providence Road TO 100 Valley Parkway, Northbridge (Pharmacy Reg. No. 2776)

Closing

BJ's Pharmacy #58, 115 Erdman Way, Leominster (2/15/07; transfer of business records and inventory to CVS/pharmacy, 9 Nelson Street, Leominster (Pharmacy Reg. No. 2831)(DeVita recused)

BJ's Pharmacy #47, 26 Whittier Street, Framingham (2/4/07; transfer of business records and inventory to Stop & Shop Pharmacy #003, 235 Old Connecticut Path, Framingham (Pharmacy Reg. No. 2330)

BJ's Pharmacy #55, 287 Washington Street, S. Attleboro (2/4/07;
transfer of business records and inventory to Stop & Shop Pharmacy
#443, 251 Washington Street, Attleboro (Pharmacy Reg. No. 3446)
BJ's Pharmacy #101, 688 Providence Highway, Dedham (2/4/07;
transfer of business records and inventory to Stop & Shop Pharmacy,
160 Providence Highway, Dedham (Pharmacy Reg. No. 3440) (Berman
BJ's Pharmacy #20, 650 Memorial Drive, Chicopee (2/4/07; transfer
of business records and inventory to Stop & Shop Pharmacy #36, 672
Memorial Drive, Chicopee (Pharmacy Reg. No. 2360)
(Berman recused all transfers to Stop & Shop Pharmacy above)

Change of Manager

CVS/pharmacy #217, Tewksbury (Pharmacy Reg. No. 3277)
CVS/pharmacy #1885, Sharon (Pharmacy Reg. No. 2901)
CVS/pharmacy #1221, Milford (Pharmacy Reg. No. 2988)
(DeVita recused)

BJ's Pharmacy #34, Stoughton (Pharmacy Reg. No. 3387)
Brooks Pharmacy #548, Lynn (Pharmacy Reg. No. 3118)
Brooks Pharmacy #361, Concord (Pharmacy Reg. No. 2814)
Brooks Pharmacy #401, Melrose (Pharmacy Reg. No. 2405)
Louis & Clark Drug #102, Springfield (Pharmacy Reg. No. 3244)
Stop & Shop Pharmacy #776, Arlington (Pharmacy Reg. No. 3478)
(Berman recused)
Wal-Mart Pharmacy 10-2629, Whitinsville (Pharmacy Reg. No. 2776)
Wal-Mart Pharmacy 10-3491, Methuen (Pharmacy Reg. No. 3072)
Wayland Apothecary, Inc., Wayland (Pharmacy Reg. No. 1438)
Walgreens Pharmacy #2945, Somerville (Pharmacy Reg. No. 2251)
Walgreens Pharmacy #3759, Chelsea (Pharmacy Reg. No. 2701)
Walgreens Pharmacy #2861, Framingham (Pharmacy Reg. No. 2232)
Walgreens Pharmacy #2716, Lynn (Pharmacy Reg. No. 2236)
Walgreens Pharmacy #3300, Marlborough (Pharmacy Reg. No. 3412)
Walgreens Pharmacy #1843, Stoughton (Pharmacy Reg. No. 1368)

Motion/Pasedis to approve all of the above-referenced applications.
Second/Budish. All in favor.

4. 8:45 a.m. – Report of Office of Investigations
 - a) File Review –Investigator Penta and CQI Coordinator McKenna

1	SA DS 07 064	Dismissed
2	SA DS 07 061	Dismissed
3	DS 07 035	Advisory Letter
4	PH 07 064	Legal
5	SA PH 06 071 DS 07 030	Advisory Letter Advisory Letter
6	PH 07 062	Voluntary Surrender
7	PH 07 061	Voluntary Surrender

5. 9:15 a.m. - Review of Comments submitted at Public Hearing (1/30/07) regarding Proposed Revisions to 247 CMR 6.00 and 10.00

DeVita suggested that notices also be sent to corporate offices where Board is notified of person and current address.

a) Proposed 6.13: Plans of Correction

Reference to "ten" days will be revised to state "15 business" days.

b) Proposed 10.03(1) – Revise references in subsection (1) to state: "any individual or entity licensed by the Board."

Board will review revised version of section 6.11-13 and 10.03 and next meeting and vote to adopt final version.

6. 9:45 a.m. - Report of Offices

a) Office of General Counsel - Susan Manning, Board Counsel

9:45 a.m. - Motion/Pasedis to exit open session (G.L. c. 112, s. 65C and G.L. c. 30A, s. 11A1/2). Second/Gouveia. All in favor.

9:55 a.m. - Motion/Pasedis to return to opens session. Second/Ryle. All in favor.

Fourth quarterly meeting with CVS regarding February 9, 2006 Agreement is scheduled for 15, 2007 (may be rescheduled to a March date).

Motion/Cayer for Karen Ryle to attend quarterly meetings regarding February 9, 2006 Agreement. Second/Berman. All in favor.

(DeVita recused – not present in meeting room)

7. 10:00 a.m. – New Pharmacy Application

New England Life Care, Inc., 4 Constitution Way, Woburn, MA.

Present: Ernest P. Gates, R.Ph., Consultant; Charles R. Gigante, NECL Pres./CEO; Debbie Miller, Vice Pres., and Brian Wolonsavich, R.Ph.

(No. 22523), proposed MOR.

CEs: Wolonsavich - compliant

Waivers: 247 CMR 6.02(4)(inventory) and 9.01(15)(limited services)

Motion/Gouveia to approve application, subject to inspection, grant waivers. Second/DeVita. All in favor.

8. New Business

a) Carmela Berlin, R.Ph. (No. 22928) – CE request.

Motion/Pasedis to accept the 11 additional CE credits for 2006, complete 15 CEs for 2007. Second/ Tocco. All in favor.

b) A.J. Sarvin - pharmacist reciprocity application pharmacist reference. Motion/DeVita schedule to appear before Board. Second/Cayer. All in favor.

c) Discussion - review of “Pharmacist Emeritus” new licensure category, inactive status and requirements for renewal of expired licenses. Board will continue discussion of these topics for consideration for regulatory revisions.

d) Review of proposed DOE proprietary school Pharmacy Technician Training Program instructor requirements. Motion/Cayer to advise DOE that DOE instructor qualifications should include requirement that instructor is currently registered and in good standing with the Mass. Board of Registration in Pharmacy. Second/Tocco. All in favor.

e) Update 2006 NABP Executive Committee

Karen Ryle updated Board on Standardized Experiential and Practical Experience Requirements for Student Pharmacists.

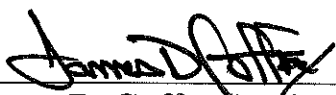
- f) Discussion related to American Health Resources, Inc. 2007 PharmEd continuing education programs.
- g) Review of Continuing Education Program - MicroTest, Inc. "USP <797> Personnel Training Module.
Motion/DeVita to approve the CE program as category of "Practice Management". Second/Cayer. All in favor.

9. Old Business

- a) Margolis Pharmacy matters (11/21/06 meeting – taken under advisement)- Docket Nos. DS-07-011 – Motion/Cayer issue Advisory Letter. Second/Pasedis. All in favor.
PH-07-037- Motion/Cayer to issue Advisory Letter. Second/Pasedis. All in favor
- b) Richard Harold, D.M.D., J.D., Rap. (No. 16265/ Exp. 12/31/1984: Reinstatement inquiry – has not been engaged in practice of pharmacy, no continuing education.
Motion/Cayer require NAPLEX/MPJE exams, complete Module I (Charter Oak). Second/Tocco. All in favor.
- c) Fred Khayut – pharmacist applicant with 9/06 (driving) conviction. Motion/DeVita take MPJE exam, licensure contingent upon consent agreement with probation to commensurate with sentence. Second/Cayer. All in favor.

10. 12:00 p.m. – Motion/DeVita to adjourn meeting. Second/Ryle.
All in favor. Meeting adjourned.

Respectfully submitted by:



James D. Coffey, R.Ph.
Interim Director
Date:

Reviewed by counsel: March 10, 2007
Draft approved: March 10, 2007
Board approved: March 20, 2007

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CLOSED SESSION MINUTES
TUESDAY FEBRUARY 13, 2007
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9:45 a.m. - Exit Open Session

CVS/Longwood matters remain open complaint at this time while response to Board's proposed consent agreement remains to be filed.
(DeVita recused – not present in meeting room)

Board Counsel Manning and Interim Dir. Coffey provided information regarding Walgreens Pharmacy in Weymouth that filled prescriptions (primarily clonidine) for four year old (deceased 12/11/06) with bipolar diagnosis. No Board complaint has been opened based on information known to Board at this time. Site inspection will be scheduled. Board will be updated on any additional information after the inspection.

Consent agreements executed in matters of Debra Howie, R. Ph. and Ronald Cohen, R.Ph. (Brooks Pharmacy/Middleboro).

9:55 a.m. - Return to Open Session